

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

126

CWP-2257-2024
Date of Decision: 02.02.2024

Avtar Singh ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. K.K. Thakur, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to the respondents to fix his pension in accordance with his official position at the time of retirement.
2. Learned counsel for the petitioner submits that the petitioner was promoted on the post of Head Constable in 2013 and till his retirement, he was getting salary of Constable. The respondent has determined his pension as Constable. He has served upon the respondents legal notice dated 13.07.2023 (Annexure P/7), however, the respondent has not paid heed to said representation.
3. Notice of motion.
4. Mr. Aman Dhir, DAG, Punjab, accepts notice on behalf of respondents-State. He submits that claim of the petitioner qua re-fixation of

pay for the period of his service i.e. 2013 to 2017 cannot be considered at this belated stage. By his act and conduct, he accepted his salary and at this belated stage, cannot claim revision of salary. Nevertheless, the claim of the petitioner for fixation of pension from current date would be considered and an appropriate order shall be passed within three months from today.

4. Learned counsel for the petitioner agrees with the aforesaid arrangement.

5. In the wake of statement of learned State counsel, the present petition stands disposed of.

02.02.2024

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(JAGMOHAN BANSAL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>